



7

Planning Commission Staff Report

TO: PLANNING COMMISSION

FROM: PLANNER AMY TEMES, SENIOR PLANNER *AT*
(480) 503-6729, AMY.TEMES@GILBERTAZ.GOV

THROUGH: CATHERINE LORBEER, AICP, PRINCIPAL PLANNER *ajl*
(480) 503-6016, CATHERINE.LORBEER@GILBERTAZ.GOV

MEETING DATE: SEPTEMBER 2, 2015

SUBJECT: Z15-12, ENCLAVE AT SANTAN/ GRAYSTONE: REQUEST TO AMEND ORDINANCE NO. 2476 AND REZONE APPROXIMATELY 20.61 ACRES OF REAL PROPERTY WITHIN THE ENCLAVE AT SANTAN/ GRAYSTONE PLANNED AREA DEVELOPMENT (PAD), GENERALLY LOCATED EAST OF THE NORTHEAST CORNER OF GREENFIELD ROAD AND PECOS ROAD FROM APPROXIMATELY 20.61 ACRES OF SINGLE FAMILY - 15 (SF-15) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT OVERLAY TO APPROXIMATELY 7.49 ACRES OF SINGLE FAMILY-15 (SF-15) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT OVERLAY AND APPROXIMATELY 13.12 ACRES OF SINGLE FAMILY-10 (SF-10) ZONING DISTRICT WITH PLANNED AREA DEVELOPMENT OVERLAY.

STRATEGIC INITIATIVE: Community Livability

To allow for new residential development per the General Plan.

RECOMMENDED MOTION

For the reasons set forth in the staff report, move to recommend approval to the Town Council for Z15-10, as requested, subject to the conditions listed in the staff report.

APPLICANT/OWNER

Company: Ashton Woods AZ LLC
Name: Mari A. Flynn
Address: 6991 E. Camelback Rd. #A200
Scottsdale, AZ 85251
Phone: 480-515-9955 x223
Email: mari.flynn@ashtonwoods.com

Company: Jeannine F. Gray Trust
Name: Franklin E. Gray
Address: 2636 E. Pecos Rd.
Gilbert, AZ 85295
Phone: 602-717-9461
Email: fgray51@gmail.com

BACKGROUND/DISCUSSION

History

Date	Description
<i>October 9, 2013</i>	Blank annexation petition filed at Maricopa County.
<i>November 6, 2013</i>	Planning Commission Study Session for GP13-15, Z13-26 and S13-11.
<i>November 7, 2013</i>	Town Council held a public hearing on annexation. December 19, 2013 Town Council approved Annexation Case No. A13-01. (Town of Gilbert Single Family-43 was applied to this parcel with this annexation.)
<i>March 6, 2014</i>	Town Council approved GP13-15 a minor General Plan amendment to change the land use classification of 20.61 acres from Residential > 0-1 DU/Acre and rezoned Z13-26 from Single Family-43 to Single Family – 15 with a Planned Area Development overlay.

Overview

Ashton Woods is proposing a new executive community, which will be known as The Enclave at SanTan Village. The proposed development is an approximate 20-acre property located east of the northeast corner of Greenfield Road and Pecos Road along the 164th Street alignment. This area of Gilbert is located just southeast of the SanTan Mall, east of the SanTan Village Marketplace Power Center and northeast of the LDS temple. This is a highly desirable part of the Town of Gilbert and the property has generated a high degree of interest from buyers.

Surrounding Land Use & Zoning Designations:

	Existing Land Use Classification	Existing Zoning
North	Residential > 0-1 DU/Acre	Maricopa County RU-43
South	Residential > 1-2 and Community Commercial	SF-35 and Community Commercial
East	Residential > 0-1 DU/Acre	Maricopa County RU-43
West	Residential > 0-1 DU/Acre	Maricopa County RU-43
Site	Residential > 0-1 DU/Acre	Town of Gilbert SF-43

Rezoning

Graystone is a gated community with private streets. The proposed amendment to the existing PAD retains the Single Family – 15 (SF-15) zoning for the 16 lots on the north, west and east sides, which creates a large lot buffer as agreed upon with the neighbors in 2013. The SF – 15

lots are a minimum of 16,500 square feet per Ordinance No. 2476. The remaining 22 lots are being amended to Single Family – 10 (SF-10). Most of the lots are over 12,000 square feet. The subdivision is proposed to have a total count of 38 lots, which yields an overall density of 1.84 DU/Acre, which is in conformance with the existing General Plan category of 1-2 DU/Acre. The 16 SF-15 lots will retain the existing entitlements and are being further modified to reduce the front yard setback from 30' to 25' front facing garage and allowing of 15' front setback for side entry garages, livable square footage and porches. The remaining 22 SF-10 lots are located internal to the development and along Pecos Road. The lots shall meet the Land Development Code (LDC) except that the required 3' stagger is being eliminated and the front setback for side entry, livable and porches is being reduced from 20' to 15'. The SF-10 lot in the far southeast corner is irregular in shape and the minimum width requirement is being modified to accommodate the narrowed frontage. In addition, Staff has clarified that the necks of the flag lots shall not be included in the minimum lot dimensions.

At study session, staff expressed concerns about:

- amending rear setbacks adjacent to the surrounding large lots
- increased lot coverage

At study session, staff was not as concerned about modifications to internal setbacks as this is a small gated neighborhood and the reduction in front setbacks and stagger would not impact the surrounding large lots or be visible from Pecos Road:

- amending internal setbacks
- 3' stagger

Previously, discussions with the surrounding neighbors focused on 164th Street and the Fairview Neighborhood's desire to not have it connect to Pecos Road. Currently the road cannot be constructed due to property owned by Roosevelt Water Conservation District. After discussions with Maricopa County and the Town's Traffic Department it has been determined that dedication of 164th Street is not required. Town Staff requires a 25' – 30' (varies due to site constraints) easement and trail be designed connecting the existing dead-end 164th Street to Pecos Road. A minimum of an 8 foot width trail shall be provided along the RWCD site or in the County ROW. In addition, the V-ditch will be tiled in this area. The easement and trail connection has been added as a condition of the draft ordinance in place of the 164th Street dedication. The 8-foot PUE on the north boundary will remain in place.

Project Data Table

Development Standard	Existing SF-15 per Ord. 2476	Proposed SF-15	Existing SF-10	Proposed SF-10
Minimum Lot Area (sq. ft. per DU)	16, 500	16, 500	10,000	10,000
Minimum Lot Width (ft.)	50	50	85	85 70 for the SEC lot
Minimum Lot Depth (ft.)	120	130	110	110

Development Standard	Existing SF-15 per Ord. 2476	Proposed SF-15	Existing SF-10	Proposed SF-10
Maximum Height (ft.)/Stories	30/2-story	30/2-story	30/2-story	30/2-story
Minimum Building Setback (ft.) Front	30 to face of garage 20 to living area/porch/side entry garage	25 to face of garage 15 to living area/porch/side entry garage	25 front facing garage 20 living area /garages that are recessed > 20'/side entry garage	25 front facing garage 15 living area/side entry garages/porches
Side	15	15	10	10
Rear	30	30	30 1-story 30 2-story 35 2-story when along arterials	30 1-story 30 2-story 30 1-story along arterials 35 2-story along arterials
Maximum Lot Coverage (%)	40% 1-story 35% 2-story	40% 1-story 35% 2-story	45% 1-story 40 % 2 story	45% 1-story 40 % 2 story

Note* 3' stagger is not required.

Note ** flag lots shall not be included in the minimum lot dimensions.

PUBLIC NOTIFICATION AND INPUT

A notice of public hearing was published in a newspaper of general circulation in the Town, an official notice was posted in all the required public places within the Town and neighborhood notice was provided per the requirements of the Land Development Code Article 5.205.

A neighborhood meeting was held on April 20, 2015 at Quartz Hill Elementary School. No residents attended the meeting.

Staff has received no comment from the public.

SCHOOL DISTRICT

The proposal is consistent with the General Plan and the School District has not expressed any concerns.

PROPOSITION 207

An agreement to “Waive Claims for Diminution in Value” pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

REASONS FOR THE RECOMMENDATION

1. The proposed zoning amendment conforms to the General Plan as amended, any applicable Specific Area Plan, neighborhood, or other plan and any overlay zoning district.
2. All required public notice has been conducted in accordance with applicable state and local laws.
3. All required public meetings and hearings have been held in accordance with applicable state and local laws.
4. The proposed rezoning supports the Town’s strategic initiative for Community Livability. It supports the motto “Gilbert: Clean, Safe, Vibrant.”

STAFF RECOMMENDATION

For the following reasons: the development proposal conforms to the intent of the General Plan and can be appropriately coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval of Z15-12 rezoning approximately 20.61 acres of real property within Enclave at SanTan Village/ Graystone Planned Area Development (PAD) and generally located east of the northeast corner of Greenfield and Pecos Roads from approximately 20.61 acres of Single Family - 15 (SF-15) zoning district with a PAD overlay to approximately 7.49 acres of Single Family-15 (SF-15) zoning district with a PAD overlay and approximately 13.12 acres of Single Family-10 (SF-10) Zoning District with PAD overlay.

- a. The Project shall be developed in conformance with Gilbert’s zoning requirements for the zoning districts and all development shall comply with the Town of Gilbert Land Development Code, except as modified by the following:
 1. The Developer will complete a trail system located in a minimum 25-30-foot tract on the eastern boundary of this site on the Final Plat. The V-ditch shall be tiled in this area. The dedication statement for this tract will include “roadway” as a use. In addition, an 8-foot minimum width trail is required along the RWCD site or the County ROW to connect the trail to Pecos Road.
 2. The proposed abandonment of the existing public utility easement located along the western 8 feet of the Project, including the continuation of the proposed abandonment along the northern 8 feet of the Project, must be approved and accepted by Council in accordance with the Land Development Code requirements prior to construction of property walls anywhere within the proposed abandonment area.

3. At the written request of Gilbert, Developer shall dedicate all necessary easements for the roadway improvements, including easements for drainage and retention and temporary construction easements. Failure to dedicate said easements within thirty (30) days after the date of Gilbert's written request may result in the reversion of the zoning of the Property to the prior zoning classification.
4. Developer shall create a Homeowner's Association (HOA) for the ownership, maintenance, landscaping, improvements and preservation of all common areas and open space areas and landscaping within the rights-of-way.
5. Developer shall record easements to be owned by the HOA for pedestrian, bicycle, multi-use or trail system purposes as determined by the final plat, at the time of final plat recordation, or earlier if required by the Town Engineer. In recognition of the modifications to the underlying zoning regulations set forth herein, such easements shall be open to public access and use.
6. Prior to final plat approval, Developer shall pay for its proportional share of water and sewer mains benefitting the Property, as required by the Town Engineer.
7. The Project shall be developed in conformance with Gilbert's zoning requirements for the Single Family-15 (SF-15) and Single Family-10 (SF-10) zoning district and all development shall comply with the Town of Gilbert Land Development Code, except as modified by the following:

SF- 15 MODIFIED DEVELOPMENT STANDARDS	
Minimum Lot Size	16,500 square feet
Maximum Lot Coverage	
One Story	40%
Two Story	35%
Front Building Setback	25' TO FACE OF GARAGE 15' TO LIVING AREA/COVERED PORCH/SIDE ENTRY GARAGE
Minimum Lot Width	50'

SF-10 MODIFIED DEVELOPMENT STANDARDS	
FRONT SETBACK SF-10	15' TO LIVING AREA/COVERED PORCH/SIDE ENTRY GARAGE
MINIMUM LOT WIDTH SEC LOT ONLY	70'

NOTE * THE 3' FRONT STAGGER WILL NOT BE REQUIRED WITHIN THE SF-10 ZONING DISTRICT.

NOTED** MINIMUM LOT DIMENSIONS DO NOT INCLUDE THE FLAG LOT NECK.

Respectfully submitted,

Amy Temes
Senior Planner

Attachments and Enclosures:

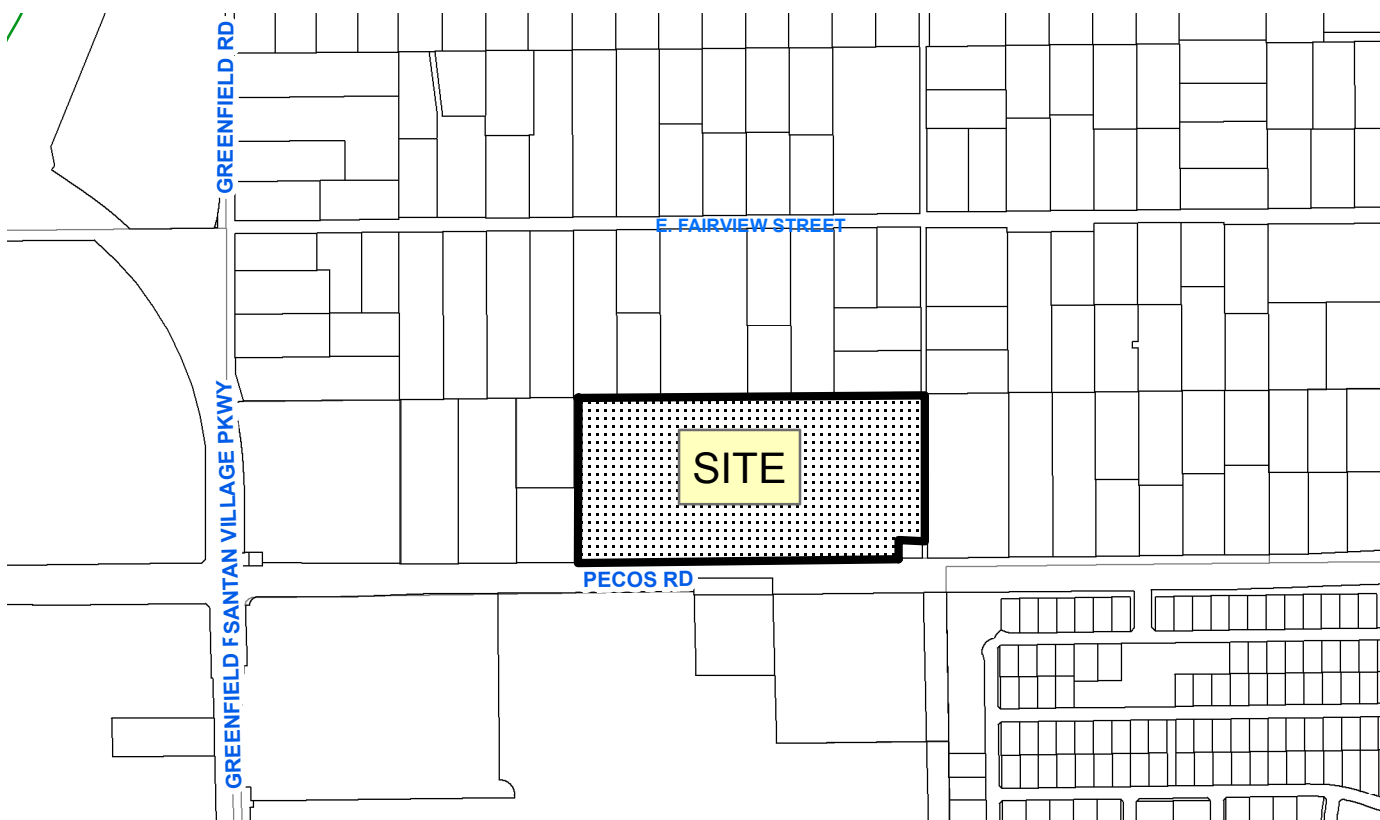
- 1) Notice of Public Hearing
- 2) Illustrative Exhibit
- 3) Zoning Map
- 4) Development Plan
- 5) Minutes from the Planning Commission Study Session of July 1, 2015

Notice of Public Hearing

PLANNING COMMISSION DATE:**Wednesday, September 2, 2015* TIME: 6:00 PM****TOWN COUNCIL DATE:****Thursday, September 10, 2015* TIME: 7:00 PM****LOCATION: Gilbert Municipal Center, Council Chambers****50 E. Civic Center Drive***** Call Planning Department to verify date and time: (480) 503-6729****REQUESTED ACTION:**

Z15-12: Request to amend Ordinance No. 2476 and rezone approximately 20.62 acres of real property within the Graystone Planned Area Development (PAD) and generally located east of the northeast corner of Greenfield and Pecos Roads from approximately 20.61 acres of Single Family - 15 (SF-15), zoning district with a Planned Area Development overlay to approximately 7.49 acres of Single Family-15 (SF-15) and 13.12 acres of Single Family-10 (SF-10) zoning district, all with a Planned Area Development overlay as shown on the exhibit (map), which is available for viewing in the Planning and Development Services Office, and to amend conditions of development in the Graystone Planned Area Development (PAD) as follows: reduce the lot size for internal lots within the development, reduce the SF-15 front yard setback from 30 feet to 25' for front facing garages and 15 feet for side entry garages, living area and covered porches and to reduce the front yard setback from 20' to 15' for side entry garages, living area and covered porches within SF-10 zoning district, reduce the lot width for the SF-10 lot in the southeast corner of the project from 85' to 70', remove the 3' stagger from the SF-10 lots, minimum lot dimensions do not include the flag lot necks. The effect of the rezoning will be a decreased lot sizes, reduce front yard setbacks, to eliminate the front building stagger, reduce minimum lot width and clarify flag lot dimensions within the project.

* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m. Staff reports are available the Monday prior to the meeting at <http://www.gilbertaz.gov/departments/development-services/planning-development/planning-commission>

SITE LOCATION:**Legend**

 GILBERT

0 245 490 980 Feet

**APPLICANT: Ashton Woods Arizona, LLC****CONTACT: Mari A. Flynn****ADDRESS: 6991 East Camelback Road, Ste. A-200****Scottsdale, AZ 85251****TELEPHONE: (480) 515-9955, x223****E-MAIL: mari.flynn@ashtonwoods.com**

Z15-12: Enclave at SanTan/Graystone
Attachment 2 - Illustrative
September 2, 2015



RU-43

EXISTING SF-15 PAD
PROPOSED SF-15 PAD (7.49 Ac.)

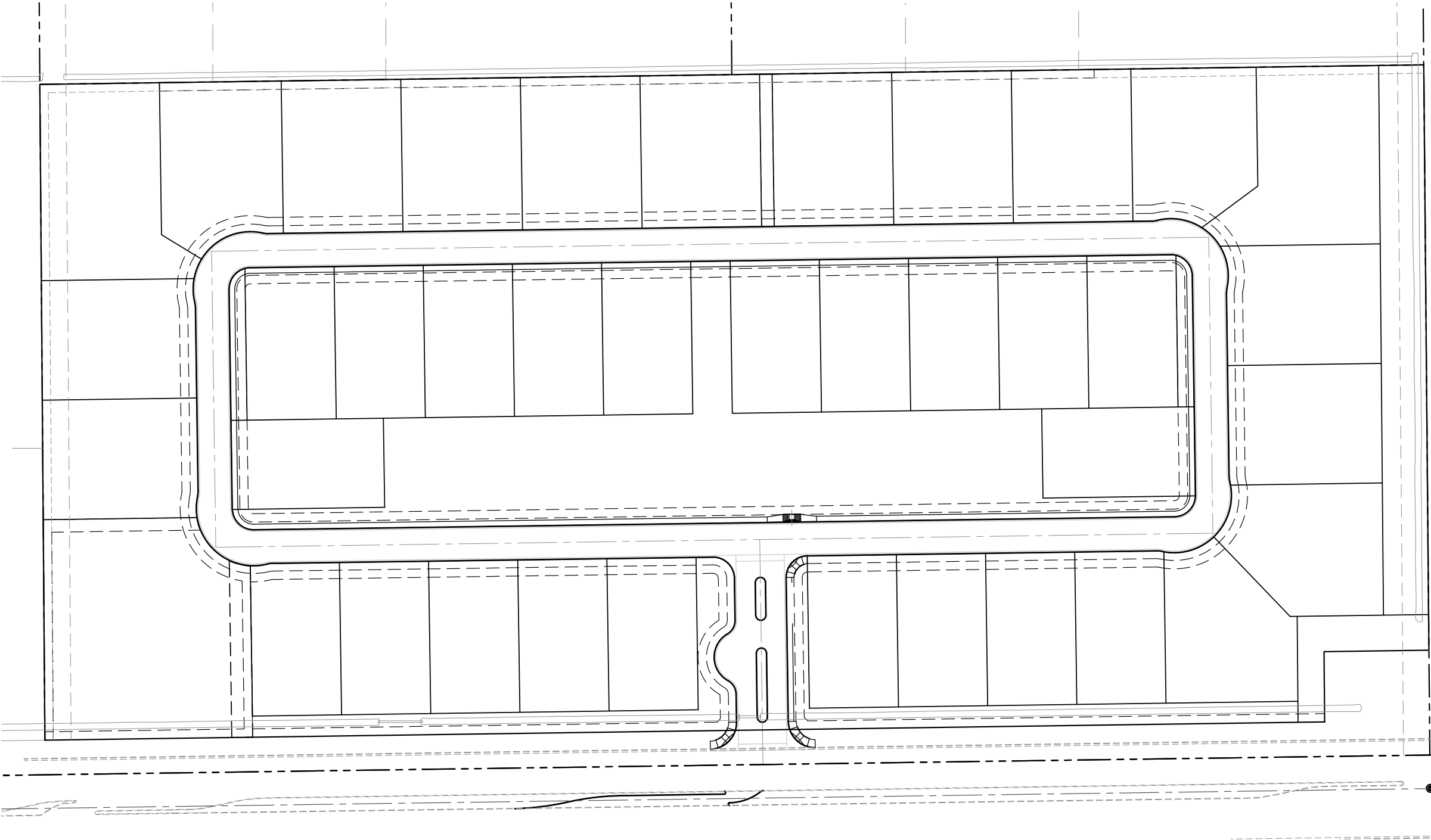
EXISTING SF-15 PAD
PROPOSED SF-10 PAD (13.12 Ac.)

PROPERTY LINE

PECOS ROAD

SF-15

SF-35



Site Data	
Gross Ac.	20.61 Ac.
Net Ac.	18.79 Ac.
Existing Zoning	
SF-15	20.61 Ac.
Proposed Zoning	
SF-15	7.49 Ac.
SF-10	13.12 Ac.

SF-15 MODIFIED DEVELOPMENT STANDARDS	
Minimum Lot Size	16,500 square feet
Maximum Lot Coverage	40%
One Story	40%
Two Story	35%
Front Building Setback	25' TO FACE OF GARAGE 15' TO LIVING AREA/COVERED PORCH/SIDE ENTRY GARAGE
Minimum Lot Width	50'
SF-10 MODIFIED DEVELOPMENT STANDARDS	
FRONT SETBACK SF-10	15' TO LIVING AREA/COVERED PORCH/SIDE ENTRY GARAGE
MINIMUM LOT WIDTH SEC LOT ONLY	70'

NOTE * -> THE 3' FRONT STAGGER WILL NOT BE REQUIRED WITHIN THE SF-10 ZONING DISTRICT.

NOTED ** -> MINIMUM LOT DIMENSIONS DO NOT INCLUDE THE FLAG LOT NECK.

**TOWN OF GILBERT
PLANNING COMMISSION STUDY SESSION MINUTES
GILBERT MUNICIPAL CENTER, 50 E. CIVIC CENTER DRIVE, GILBERT AZ
JULY 1, 2015**

COMMISSION PRESENT: Chairman Joshua Oehler
Vice Chairman Kristofer Sippel
Commissioner David Cavenee
Commissioner Brent Mutti
Commissioner David Blaser
Commissioner Carl Bloomfield
Commissioner Jennifer Wittmann
Alternate Brett Young

COMMISSION ABSENT: None

STAFF PRESENT: Planning Services Manager Linda Edwards
Principal Planner Catherine Lorbeer
Senior Planner Amy Temes

ALSO PRESENT: Town Council Member Brigette Peterson
Town Attorney Jack Vincent
Recorder Margo Fry

CALL TO ORDER:

Chairman Joshua Oehler called the meeting to order at 5:40 p.m.

OATH OF OFFICE

The Oath of Office for Alternate Planning Commissioner was administered by Town Council Member Brigette Peterson to Brett Young. Mr. Young said that he had lived in the Town of Gilbert for approximately three years and was the Director of Business Development for Dignity Health and had been with them for 12 years.

Z15-12: REQUEST TO AMEND ORDINANCE NO. 2476 AND REZONING APPROXIMATELY 20.61 ACRES OF REAL PROPERTY WITHIN THE ENCLAVE AT SANTAN VILLAGE PLANNED AREA DEVELOPMENT (PAD) AND GENERALLY LOCATED EAST OF THE NORTHEAST CORNER OF GREENFIELD AND PECOS ROADS FROM APPROXIMATELY 20.61 ACRES OF SINGLE FAMILY - 15 (SF-15), ZONING DISTRICT TO APPROXIMATELY 7.60 ACRES OF SINGLE FAMILY-15 (SF-15) ZONING DISTRICT AND 13.02 ACRES OF SINGLE FAMILY-10 (SF-10) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT OVERLAY.

S15-03: VILLAGES AT VAL VISTA: REQUEST TO AMEND THE PRELIMINARY PLAT AND OPEN SPACE PLAN FOR 40 SINGLE FAMILY HOME LOTS ON APPROXIMATELY 20.61 ACRES OF REAL PROPERTY LOCATED EAST OF THE NORTHEAST CORNER OF GREENFIELD AND PECOS ROADS IN THE SINGLE FAMILY – 15 (SF-15) AND SINGLE FAMILY – 10 (SF-10) ZONING DISTRICT.

Senior Planner Amy Temes stated that several years ago the site was rezoned and General Planned and it was annexed for SF-15 zoning with some modifications. The applicant has come back to ask to change the zoning from SF-15 across the board to SF-15 with a combination of SF-10. The SF-10 is internal to the site and the SF-15 wraps to the large lot adjacent development. When the rezoning occurred previously there were a lot of neighborhood meetings. The neighbors are on one acre plus lots. The neighbors were very sensitive to the rural character of the area and the aesthetic of Pecos Road. The SF-15 was part of the discussion with the neighbors. The applicant has been sensitive to the neighbors concern and has retained the SF-15 on three boundaries and keeping the larger size lots per the previous zoning. Planner Temes referred to the following information regarding modifications from page 3 and 4 of the staff report:

Development Standard	Existing SF-15 per Ord. 2476	Proposed SF-15	Existing SF-10	Proposed SF-10
Minimum Lot Area (sq. ft. per DU)	16, 500 SQ FT	16, 500 SQ FT	10,000 SQ FT	10,000 SQ FT
Minimum Lot Width	50'	50'	85'	85'
Minimum lot Depth	120'	130'	110'	110'
Maximum Height (ft.)/Stories	30'/2-story	30'/2-story	30'/2-story	30'/2-story
Minimum Building Setback (ft.) Front	30' to face of garage 20' to living area/porch/side entry garage	25' to face of garage 15' to living area/porch/side entry garage	25' front facing garage 20' living area /garages that are recessed > 20'/side entry garage	25' front facing garage 15' living area/side entry garages/porches
Side	15'	15'	10'	10'
Rear	30'	20' 1-story 35' 2-story 30' 1-story along arterials 30' 2-story along arterials	30' 1-story 30' 2-story 35' 2-story when along arterials	20' 1-story 35' 2-story 20' 1-story along arterials 35' 2-story along arterials
Maximum Lot Coverage (%)	40% 1-story 35% 2-story	45% 1-story 40% 2-story	45% 1-story 40 % 2 story	45% 1-story 40 % 2 story

Ms. Temes pointed out that the applicant would like to reduce the rear yard setback from 30' to 20' for one story homes. On the two-story homes they would like to increase the rear yard setback from 30' to 35'. The changes made to the one story are not as impactful as the two-story would be and the two-story is being increased with setback, not decreased. Staff has expressed some concern as they do not want the neighbors to feel like that they had an agreement and now it is being pulled back. All of the proper neighbor notification processes have been applied. This is internal to a gated project so is not necessarily impacting an overall community or neighborhood. The applicant would like to increase the lot coverage on SF-15 from 40' to 45' for the one story and from 35' to 40' for the two-story. In the previous zoning it was bumped up 5% from 35' to 40' for one story. They would now like to bump it up 5% more. Along Pecos Road is the reduction in the rear yard setback along arterials. Code says that when there are homes along and arterial and landscape along the arterial is less than 35' that you must do an additional rear yard setback so that the road does not feel crowded. The applicant would like to reduce the one story from 35' to 20'. Staff has asked for dedication of 164th Street and there is ongoing discussion with engineering regarding that because Roosevelt Water Conservation District does own a small square of property at the intersection to Pecos Road and there is no continuous alignment of 164th St. on down as you continue south. They are

discussing whether it is to be fully dedicated or whether it should be an easement as the neighborhood to the North has been very clear that they do not want to see 164th St. developed. Ms. Temes noted that there was no secondary exit or entrance and is gated but there is a 20 foot emergency access drive that was required with the previous zoning and this design would also require it. The plants and materials are consistent with what was previously approved.

Vice Chairman Sippel said that he was somewhat concerned about going from acre lots to 10,000 ft.² lots with the SF-15 separation and the setbacks going from 30' to 20'. He said it didn't bother him for the front yard or for the SF-10's but it did on the SF-15.

Commissioner Cavenee said that the challenge for him was that it really isn't an SF-15 to what they are seeing currently, it is an SF-43, just a step down in the middle that maybe shouldn't happen. He said that looking at the aerial it doesn't seem to fit the character of what is going on around it. He said that not only were they down zoning the property but they are also down zoning all of the setbacks and percentage of lot coverage. He saw one increase and everything else is either equal or downsized. There wasn't a hardship for the property that would rationalize a need to take those kinds of steps. It is in an area of town that is growing well and rapidly and there wasn't a need to cram all of that into what otherwise in the area is not of that character. It is just too dense for what is there.

Commissioner Bloomfield said that is like all the developers are adjusting things and asked staff if the zoning code and the requirements are out of line with what today's current development standards and market is driving them to as it seems as though every project has some adjustments to be made. It is usually to make things more dense and pack things in tighter. He said he was not sure where the disconnect was as it seemed as though it be easier to come in and present a project that adheres to the zoning code.

Planner Temes said that is why she displayed the table straight out of code as those were the norms. When they were created in 2004/2005 they were based on what the builders were doing at that time. Staff does see a lot of requests for increase of lot coverage and the builders have started using the 5% open space lot coverage that was approved a few years ago that allows you to go over the lot coverage for open air structures. This builder is looking at possibly using some of that for their product. They are getting some of the benefit for the extra 5% for most of the zoning categories, it does not apply to the SF-D, SF-A because at the time the Planning Commission determined that they already had a significant lot coverage. All of the zoning categories that they were looking at currently are included. They do see in some cases the front setback on the larger lots where they have 40, 30, 25 foot setbacks starting to creep. The 20' setbacks seem to be working but where the rub occurs is with the 3' stagger as in the code they require that certain zoning districts stagger homes every 2nd or 3rd home so there is not a consistent straight line down the Street. Some of the developers backed themselves into a corner with sales towards the end as that is not managed well throughout. There has also been discussion in terms of side setbacks regarding the 5' clear zone more than the setbacks. Where setbacks seem to be doing okay is buyers currently that want a large rear yard. The market seems now to be shifting to maximizing the home on the lot.

Chairman Oehler said that he had an issue with a lot of the deviations that were being asked for as he did not see the hardship and would like to see justification for the modifications and rezoning.

Commissioner Cavenee said that if the down zoning as the real request it would be easier for him to feel good about it if they lived within the requirements of the zoning. Right now they know that the lot sizes work within the requested zoning but it is apparently the product that they want to put on it that pushes it outside the boundaries. They need to design the lots in a way to absorb the product and the answer is not always to come before the Planning Commission and try to down zone or change all the requirements. There is a lot of improvement that could be done on the design community side to live within the requirements that are there.

Discussion of Regular Meeting Agenda

Vice Chairman Sippel announced that they would move items 9 and 10 on the Non-Consent Agenda to be heard before items 7 and 8 on that Agenda. He asked legal counsel if they were to move item 11 and 12 from Non-Consent to the Consent Agenda if someone could still speak in favor of the item.

Town Attorney Jack Vincent said that there would be no speaking on an item that went to Consent.

Vice Chairman Sippel stated that they hear items 11 and 12 as the first items on the Non-Consent Agenda. Item 6 would be moved from the Consent Agenda to the Non-Consent Agenda.

ADJOURN MEETING

Study Session Meeting adjourned at 6:00 p.m.

Chairman Joshua Oehler

ATTEST:

Recorder Margo Fry